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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,988	08/14/2001	Laurence A. Dunne	76233.2	9094

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EXAMINER

GOTTSCALK, MARTIN A

ART UNIT	PAPER NUMBER
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3694

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/929,988

Applicant(s)

DUNNE, LAURENCE A.

Examiner

Martin A. Gottschalk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. This Office Action is responsive to the application filed 08/14/2001. Claims 1-17 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sixtus (US Pat#: 5,903,721) in view of Gallant (US PG Pub# 2002/0167946).

- A. As per claim 1, Sixtus discloses a method of combating fraud in electronic payment transactions conducted over the Internet, comprising:

(a) presenting a customer data page from a server to a potential buyer of a product or service displayed on the Internet web site of a seller for completion by the buyer with selected information;

(b) generating a globally unique identifier number which is embedded in the customer data page and stored in the memory of the server;

(c) comparing the globally unique identifier number embedded in the customer data page with the globally unique identified number stored in memory in the server upon submission of the customer data page for credit approval (for steps a, b, and c, Sixtus: col 3, ln 48 to col 4, lns 17);

Sixtus fails to disclose

(d) executing a fraud analysis in the event the globally unique identifier number embedded in the customer data page submitted for credit approval is determined to have previously matched a globally unique identified number stored in the memory of the server.

However, this feature is well known in the art as evidenced by the teachings of Krishnasamy who teaches an internet telephony system which

generates and uses a unique network transaction identifier based on user data. Under certain circumstances, a fraud analysis system will be triggered based on a comparison of the identifier information and information in one of several databases. In the process known as "Billed Number Screening (Fraud) Validation", some or all of the data in the identifier can be checked against a lookup table to see if the same information is present and flagged as a fraud risk (Krishnaswamy: col 21, ln 64 to col 22, ln 12; col 37, lns 34-55; col 250, lns 56-66).

It would have been obvious at the time of the invention to one of ordinary skill in the art to combine the teachings of Sixtus and Krishnaswamy with the motivation of enabling the Internet transaction processing system of Sixtus to incorporate telephony ability into the possible modes of Internet interaction (Krishnaswamy: col 1, lns 14-22) between customer and vendor.

B. As per claim 2, 3, and 4, Krishnaswamy teaches the method of claim 1 in which step (a) comprises employing a secure, encrypted server to receive a purchase request from the buyer, and generating the customer data page on the server in response to the purchase request (Krishnaswamy: col 41, lns 50-55);

(claim 3) the method of claim 2 in which step (b) comprises generating the globally

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unique identifier number from data transmitted to the server upon receipt of the purchase request from the buyer

(claim 4) the method of claim 3 in which the data transmitted to the server for generation of the globally unique identifier is selected from the following:

(i) the time when the purchase request was made;

(ii) the identity of the web browser used by the buyer;

(iii) the IP address of the buyer (for both claims 3 and 4, , Krishnaswamy, col 108, lns 22-32);

and

(iv) the buyer information entered on the customer data page.

C. As per claims 5 and 6, Krishnaswamy teaches the method of claim 1 in which step (b) includes

(claim 5) embedding the globally unique identifier number in the customer data page so that it is not visible to the buyer.

(claim 6) generating a globally unique identifier number which is unique to each customer data page (Krishnaswamy: col 37, ln 34-55).

D. As per claim 7 Krishnaswamy teaches the method of claim 1 further including the step of

determining whether or not a globally unique identifier number is embedded in the customer data page presented for credit approval, and blocking the transaction in the event no globally unique identifier number is present (Krishnaswamy: col 21, ln 64 to col 22, lns 12).

E. As per claim 8 and 9, Krishnaswamy teaches the method of claim 1

(claim 8) in which step (d) comprises determining whether the customer data page has been used in a successful transaction on the Internet web site of the seller immediately prior to the submission of the same customer data page for credit approval;

(claim 9) the method of claim 8 in which the transaction is blocked in the event the same customer data page used in a successful transaction on the Internet web site of the seller is submitted again for credit approval immediately after the successful

transaction is completed (for both claims, Krishnaswamy: col 21, ln 64 to col 22, ln 12).

F. As per claims 10-12, Krishnaswamy teaches

(claim 10) the method of claim 1 further comprising storing in the memory of the server the customer information entered on each customer data page and the globally unique identifier associated with each of said customer data pages (Krishnaswamy: col 30, lns 5-8);

(claim 11) the method of claim 10 in which step (d) comprises comparing the customer information and the globally unique identifier number associated with a customer data page submitted for credit approval with the customer information and globally unique identifier number contained on a customer data page stored in memory in the server;

(claim 12) the method of claim 11 in which the transaction is blocked in the event significant differences are detected in comparing the customer information contained on the customer data page submitted for credit approval and the customer information listed on a customer data page stored in the memory of the server (Krishnaswamy: col 21, ln 64 to col 22, ln 12; col 37, lns 34-55; col 250, lns 56-66).

F. Claims 13-17 are rejected for the same reasons as corresponding claims 1 and 4-7 respectively.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not replied upon art describes systems of fraud detection for Internet transactions including the use of identifiers in a variety of configurations in such systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin A. Gottschalk whose telephone number is (571) 272-7030. The examiner can normally be reached on Mon - Fri 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MG

01/05/07


ELLA COLBERT
PRIMARY EXAMINER